IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

WP(C).No. 23926 of 2007(W)

PETITIONER:

1. ANU.P.U., D/O.UDAYABHANU, AGED 23 YEARS, PUTHENPURAYIL, AYIRAMTHENGU, ALUMPEEDIKA P.O., OACHIRA, KOLLAM.

2. ANILKUMAR.V.C., S/O.V.CHAKRAPANI, AGED 25 YEARS, VALICHIRAYAIL HOUSE, AVALIKKUNNU P.O., SOUTH ARYAD, KOMALAPURAM, ALAPPUZHA.

3. KAVITHAMOL.R.S., D/O.RAVINDRAN, AGED 23 YEARS, FOREST QUARTERS, DOOR NO.112, THEKKADY P.O., KUMALI.

4. SANGEETHA SAMUEL, D/O.AMMINIKUTTY SAMUEL, AGED 23 YEARS, ZIONVILLA, MAKAMKUNNU P.O., PATHANAMTHITTA.

5. SMITHA JAMES, D/O.A.P.JAMES, AGED 23 YEARS, ALUKKA HOUSE, MANICKAMANGALAM P.O., KALADY.

6. SANTHIMOL CHACKO, D/O.P.M.CHACKO, AGED 23 YEARS, PALLIKUNNEL HOUSE, KUZHIMATTOM P.O., KOTTAYAM.

BY ADV. SRI.MANOJ P.KUNJACHAN

RESPONDENTS:

1. M.G.UNIVERSITY, REP. BY ITS REGISTRAR, PRIYADARSHINI HILLS, ATHIRAMPUZHA, KOTTAYAM.

2. CONTROLLER OF EXAMINATIONS, M.G.UNIVERSITY, PRIYADARSHINI HILLS, ATHIRAMPUZHA, KOTTAYAM.

3. REGIONAL INSTITUTE OF MEDICAL SCIENCE & RESEARCH CENTRE, THALAPPADY, KOTTAYAM, REP. BY ITS PRINCIPAL.

BY SHRI.T.A.SHAJI, SC,

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 6.8.07 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.23926 of 2007

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Dated this the 6th day of August, 2007

J U D G M E N T

The petitioners are students of 4th year B.Pharm course. They have failed in the 2nd year examination. They wrote the supplementary examination which was completed on 4.8.2007. Naturally the results have not yet been published. In the meanwhile, the third year supplementary examination is scheduled to be held on 7.8.2007. The petitioners seek permission to write that examination since without passing the 2nd year examination rules do not permit writing of 3rd year examination. I do not think that the petitioners should be given this benefit. There is no fault on the part of the University in this matter. The petitioners could not pass the 2nd year examination either in the first chance or in the supplementary examinations so far. Further the examination scheduled on 7.8.2007 is not the regular examination, but the supplementary examination for

students who failed in the regular examination for the 3rd year. Rules say that without passing the second year examination, students cannot write the third year examination. In such circumstances, petitioners are not entitled to any concession in the matter of writing the third year supplementary examination, especially since I do not find any fault on the part of the University in such matter. I am of opinion that in educational matters, strict adherence of Rules should be insisted upon, especially in view of the dwindling of standard of education in the State. In any event, after passing the supplementary examination for the 2nd year they would have their chance to write the regular 3rd year examination in due course. In the above circumstances, I am not inclined to exercise my discretionary jurisdiction in favour of the petitioners and accordingly, the writ petition is dismissed.

sdk+ S.SIRI JAGAN, JUDGE